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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,186	12/09/2005	Walter Rutton	PHDE030215US	1495
38107 7590 05/29/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS 595 MINER ROAD CLEVELAND, OH 44143			EXAMINER VU, MINDY D	
			ART UNIT 2884	PAPER NUMBER
			MAIL DATE 05/29/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/560,186	RUTTEN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mindy Vu	2884	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/09/05</u> .  | 6) <input type="checkbox"/> Other: ____.                          |

### **DETAILED ACTION**

This Office Action is in response to Applicant's application filed December 9, 2005.

#### ***Specification***

The disclosure is objected to because of the following informalities: the specification must include the sub-headings (e.g. background of the invention, summary of the invention, brief description of the drawings).

Appropriate correction is required.

#### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: momentary value E1 is not in Fig. 3 (Spec. pg. 7); E1 and E1' are not in Fig. 4 (Spec. pg. 8).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of

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any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Tumer et al. (US 2003/0141906, hereafter Tumer).

With respect to independent Claims 1, 10 and 16, Tumer discloses a detector and a method for the temporally resolved recording of detection events (Fig. 1), comprising a converter device 10, which in the operating state supplies an electrical signal when a detection event occurs, and evaluation electronics having at least one trigger 24 that is coupled to the converter device 10 and is designed to supply a trigger signal that is temporally assigned to the electrical signal, at least one time signal source 31 that supplies a first analog time signal, and at least a first sampler (capacitor and amplifier 33) that is coupled to the trigger and is designed to provide a first momentary value of the first analog time signal, said first momentary value being temporally assigned to the trigger signal (Paragraph 0059).

With respect to Claim 2, Tumer discloses the first analog time signal has a period (Paragraph 0059).

With respect to Claim 3, Tumer discloses the detector has at least one clock which is provided to measure the time in units of a uniqueness interval of the first analog time signal (Table 5).

With respect to Claim 4, Tumer discloses the detector is divided into at least two detector channels and each detector channel is assigned to in each case at least one of the triggers and at least one of the samplers (Paragraph 0037).

With respect to Claims 5, 13 and 18, Tumer discloses the evaluation electronics have a second time signal source 32 that supplies a second analog time signal and there is a second sampler (capacitor and amplifier 34) which is designed to provide a second momentary value of the second analog time signal, said second momentary value being temporally assigned to the trigger signal (Paragraph 0059).

With respect to Claim 6, Tumer discloses the second analog signal source is coupled to the first analog signal source (Paragraph 0037).

With respect to Claims 7 and 17, Tumer discloses the evaluation electronics have a time calculation unit which is coupled to the first sampler, the time calculation unit being designed to calculate a time value which is assigned to the first momentary value (Paragraph 0059).

With respect to Claim 8, Tumer discloses at least one multiplexer is arranged between the sampler and the time calculation unit (Paragraph 0058).

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With respect to Claim 9, Tumer discloses an imaging device comprising a detector as claimed in claim 1 (Paragraph 0040).

With respect to Claims 11, 14 and 19, Tumer discloses the second analog time signal is phase shifted from the first analog time signal (Paragraph 0059).

With respect to Claims 12, 15 and 20, Tumer discloses the second analog time signal is orthogonal to the first analog time signal (Paragraph 0059).


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mindy Vu whose telephone number is 571-272-8539. The examiner can normally be reached on M-F 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mv



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